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Attorney for:
MORRIS BRUCE JACKSON

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
(Honorable Salvador Mendoza, Jr.)

UNITED STATE OF AMERICA,)	NO. 19-CR-2039-SMJ
)	
Plaintiff,)	
)	DEFENDANT'S SENTENCING
vs.)	MEMORANDUM
)	
MORRIS BRUCE JACKSON,)	
)	
Defendant.)	

TO: VANESSA R. WALDREF, United States Attorney
AND TO: THOMAS HANLON, Assistant United States Attorney
AND TO: RICHARD C. BURSON, Assistant United States Attorney
AND TO: JENNIFER DYKSTRA, United States Probation Officer

Morris Bruce Jackson, by and through his attorney of record, Ken Therrien hereby submits this sentencing memorandum in preparation for his sentencing hearing scheduled for April 26, 2022 at 9:00 a.m. in Yakima, Washington.

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DEFENDANT'S SENTENCING MEMORANDUM
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I. Base Offense Level & Enhancements

Morris Bruce Jackson asserts that the Base Offense Level computation has been correctly calculated at 14 and with a three-level reduction for acceptance of responsibility making his total offense level is 21. Mr. Jackson concedes that his criminal history score is “6” which places him in Criminal History Category III. Based on these calculations Mr. Jackson confirms the following guideline calculation:

Defense guideline calculation.

1. Base Offense Level	14
2. Specific Offense Characteristics	+ 2
3. Adjusted Offense Level	16
4. Acceptance of Responsibility	
(U.S.S.G. § 3E1.1(a))	-2
(U.S.S.G. § 3E1.1(b))	-1
5. Total Offense Level	13
6. Advisory Guideline Range	18-24 months

Mr. Jackson request the Court consider the following facts and legal authority in imposing a “sufficient but not greater than necessary” sentence in his case:

II. Departures

Mr. Jackson has plead guilty to the criminal behavior identified in his Plea Agreement with an agreed sentencing range 18-24 months.

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III. 18 U.S.C. 3553(a)

18 § USC 3553 sets out factors to be considered by the Court when determining what sentence would be “sufficient but not greater than necessary,” to comply with the purposes of the statute. While no one factor is necessarily more determinative than the other, 18 § USC 3553 provides a sequential list of factors to assist the sentencing Court in its analysis.

The District Court may not presume that the guideline range is reasonable, nor should the guideline factors be given any more or less weight than any other. United States v. Carty, 520 F.3d 984, 991 (9th Cir. 2008) en banc, citing Rita¹, Gall², and Kimbrough³. The guidelines are but one factor to be taken into account in arriving at an appropriate sentence. Id.

Nature of the Offense

Morris Bruce Jackson plead guilty to Count 1: Possession of a Firearm by a Prohibited Person 18 U.S.C. § 922(g)(1), 924(a)(2) of the Indictment filed on July 17, 2019 (ECF 18). Mr. Jackson criminal conduct is identified in paragraph 6, pages 5 – 13 of the sealed plea agreement (ECF 66). This act occurred on or about June 8, 2019.

The History and Characteristics of the Defendant

Mr. Jackson is 43 years old and born in the Eastern District of Washington. Mr. Jackson grew up on the Yakama Indian Reservation. His father and mother are alive but separated. Mr. Jackson has three brothers and two sisters. Mr. Jackson has one

¹ Rita v. United States, 127 S.Ct. 2456 (2007)

² Gall v. United States, 127 S.Ct. 2833 (2007)

³ Kimbrough v. United States, 128 S.Ct. 558 (2007)

1 son from a previous relationship. Mr. Jackson has a grandchild he has never met. Mr.
2 Jackson attended school in White Swan and Goldendale, WA. Mr. Jackson obtained
3 his GED from Goldendale school system.

4 Mr. Jackson reports that his first job was when he was 15 years old. This was a
5 summer job at Klickitat High School working as a janitor. When he was 19 years old
6 Mr. Jackson worked for the Department of Natural Resources (DNR) as a fire fighter,
7 fighting Forest Fires when they occurred. Mr. Jackson reported having this position
8 for 2 years. Mr. Jackson also reports that he worked for Dairy Queen for 3-4 months
9 and Yakima Forest Products for 7-8 months. Mr. Jackson also reports that at times he
10 worked for his father fishing in order to stay out of jail. At the time of his arrest, Mr.
11 Jackson reported that he was working for Bears Event Services, setting up and taking
12 down tables and other services for social events.
13

14 Mr. Jackson reports that in 2017, he was a victim of a brutal attack by
15 unknown assailants at a residence in White Swan. As reported by Mr. Jackson, he
16 was staying at this residence when in the middle of the night unknown assailants
17 entered the residence believing that the inhabitants were not home. Although Mr.
18 Jackson was staying at the residence with the owner's permission, when the assailants
19 entered the residence in the middle of the night, they encountered Mr. Jackson and
20 brutally attacked him. Mr. Jackson reports being stabbed in the back and the stomach
21 suffering serious injuries. While incarcerated in this matter, Mr. Jackson reports
22 suffering from night terrors, for which he received meditation.
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29 DEFENDANT'S SENTENCING MEMORANDUM
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1 **Promote Respect for the Law, Adequate Deterrence and Protection of**
2 **the Public.**

3 This has been a traumatic and devastating experience in Mr. Jackson's life.
4 Mr. Jackson acknowledges that if he does not come to terms with his drug addiction
5 his future is not very promising.
6

7
8 **Prior Contact with the Criminal Justice System**

9 Mr. Jackson believes the previous sections of the PSIR sufficiently addresses
10 this issue.

11 **III. Conclusion**

12 18 USC § 3553 instructs the sentencing court to impose a sentence "sufficient
13 but not greater than necessary" to comply with the purposes set forth in paragraph 2
14 of its subsection. Based upon the information provided Mr. Jackson respectfully
15 request that this Court impose a sentence of 18-24 months.
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17
18 DATED this 5th day of April, 2022.
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20
21 /s/ Ken Therrien

22 KEN THERRIEN, WSBA #20291
23 Attorney for Defendant
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CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury of the laws of the State of Washington that on April 5, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

- Thomas Hanlon, Assistant United States Attorney
- Richard C. Burson, Assistant United States Attorney
- Jennifer Dykstra, USPO via email

s/ Ken Therrien

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